

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Llew Jones, on March 10, 2011 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chairman (R)
Sen. Jon Sonju, Vice Chairman (R)
Sen. Ron Arthun (R)
Sen. Anders Blewett (D)
Sen. Edward Buttrey (R)
Sen. Mary Caferro (D)
Sen. Jim Keane (D)
Sen. Carmine Mowbray (R)
Sen. Gene Vuckovich (D)

Members Excused:

Sen. Bruce Tutvedt (R)
Sen. David E. Wanzonried (D)
Sen. Ryan Zinke (R)

Members Absent:

None

Staff Present:

Kirk Lundby, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 218, 3/4/2011; HB 265, 3/3/2011; HB 270, 3/4/2011;
HB 302. 3/4/2011
Executive Action: HB 251 Do Concur As Amended
HB 254 Do Concur
HB 259 Do Concur
HB 270 Do Concur

EXECUTIVE ACTION ON HB 251

00:01:04 **Motion:** Sen. Sonju moved that **HB 251 BE CONCURRED IN.**

00:01:10 **Motion:** Sen. Sonju moved that **HB 251 BE AMENDED.**
EXHIBIT(his54a01)

Discussion:

00:01:50 Rachel Weiss, Legislative Services Division (LSD)

00:02:24 **Vote:** Motion carried 9-0 by voice vote of those present and voting.

00:02:38 **Motion/Vote:** Sen. Sonju moved that **HB 251 BE CONCURRED IN AS AMENDED.** Motion carried 11-1 by voice vote with Sen. Keane voting no. Sen. Tutvedt, Sen. Wanzonried and Sen. Zinke voted by proxy. Sen. Blewett will carry the bill.

EXECUTIVE ACTION ON HB 254

00:04:27 **Motion/Vote:** Sen. Sonju moved that **HB 254 BE CONCURRED IN.** Motion carried 9-0 by voice vote of those present and voting. Sen. Sonju will carry the bill.

EXECUTIVE ACTION ON HB 259

00:05:29 **Motion:** Sen. Sonju moved that **HB 259 BE CONCURRED IN.**

Discussion:

00:05:56 Sen. Blewett
00:06:17 Rachel Weiss, LSD
00:06:55 Sen. Keane
00:07:20 Sen. Blewett
00:08:25 Sen. Keane

00:08:44 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON SB 319

00:10:13 **Motion:** Sen. Sonju moved that **SB 319 DO PASS.**

00:10:22 **Motion:** Sen. Buttrey moved that **SB 319 BE AMENDED.**
EXHIBIT(his54a02)

Discussion:

00:11:11 Rachel Weiss

00:11:32 Sen. Buttrey
 00:11:57 Sen. Keane
 00:12:06 Rachel Weiss
 00:13:41 Sen. Keane
 00:13:45 Rachel Weiss

00:14:04 **Vote:** Motion carried 9-3 by voice vote with Sen. Caferro, Sen. Keane and Sen. Wanzenried voting no. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

00:14:33 **Motion/Vote:** Sen. Buttrey moved that **SB 319 DO PASS AS AMENDED**. Motion carried 9-0 by voice vote.

Discussion:

00:15:33 Sen. Jones
 00:16:13 recess
 00:25:47 reconvene
 00:25:50 Sen. Zinke entered the committee room

EXECUTIVE ACTION ON SB 319

00:25:54 **Motion:** Sen. Blewett moved to **RECONSIDER THE MOTION** on **SB 319**.

Discussion:

00:27:07 Vice Chair Sonju
 00:27:27 Sen. Blewett
 00:27:30 Vice Chair Sonju
 00:27:39 Sen. Blewett

00:28:09 **Vote:** Motion carried 10-0 by voice vote of those present and voting.

Discussion:

00:28:36 Sen. Keane
 00:28:40 Rachel Weiss
 00:28:58 Chairman Jones

HEARING ON HB 270

Opening Statement by Sponsor:

00:29:34 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 270, Provide for Trooper Haynes memorial highway.

Proponents' Testimony:

00:31:18 Becky Sturdevant, representing Concerns Of Police Survivors (COPS)
 00:32:01 Colonel Mike Tooley, Chief, Montana Highway Patrol (MHP)

00:34:09 Jessie Luther, representing Association of Montana Troopers (AMT)

00:34:49 Jim Lynch, Director, Montana Department of Transportation (MDT)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:36:09 Rep. Lavin

EXECUTIVE ACTION ON HB 270

00:36:46 **Motion/Vote:** Sen. Sonju moved that **HB 270 BE CONCURRED IN**. Motion carried 10-0 by voice vote of those present and voting. Sen. Zinke will carry the bill.

HEARING ON HB 218

Opening Statement by Sponsor:

00:37:28 Rep. Mike Miller (R), HD 84, opened the hearing on HB 218, Allow religious organizations to self-insure for motor vehicles.

Proponents' Testimony:

00:39:48 Daniel Schrock, representing Gold Creek Christian Fellowship (GCCF)

Opponents' Testimony:

None

Informational Testimony:

00:41:37 Brenda Nordlund, Administrator, Motor Vehicle Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:42:08 Vice Chair Sonju

00:42:28 Brenda Nordlund, DOJ

00:43:24 Vice Chair Sonju

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

March 10, 2011

PAGE 5 of 9

00:43:58 Brenda Nordlund
00:44:18 Daniel Schrock, GCCF
00:45:23 Vice Chair Sonju
00:45:27 Brenda Nordlund, DOJ
00:46:31 Vice Chair Sonju
00:47:00 Brenda Nordlund
00:47:18 Sen. Buttrey
00:47:59 Brenda Nordlund
00:48:24 Sen. Buttrey
00:48:41 Brenda Nordlund
00:48:55 Sen. Zinke
00:49:30 Brenda Nordlund
00:50:44 Sen. Zinke
00:51:04 Brenda Nordlund
00:51:46 Sen. Zinke
00:52:21 Daniel Schrock
00:52:55 Sen. Zinke
00:53:15 Daniel Schrock
00:53:26 Sen. Zinke
00:53:57 Rep. Miller
00:54:21 Sen. Zinke
00:55:01 Rep. Miller
00:55:30 Sen. Arthun
00:55:57 Rep. Miller
00:56:11 Sen. Arthun
00:56:25 Sen. Miller
00:56:31 Sen. Buttrey
00:57:09 Rachel Weiss, LSD
00:57:50 Sen. Buttrey
00:57:53 Rep. Miller
00:58:19 Sen. Buttrey
00:58:36 Rep. Miller
00:58:46 Brenda Nordlund
00:59:22 Sen. Blewett
01:00:14 Brenda Nordlund
01:01:10 Sen. Mowbray
01:01:38 Brenda Nordlund

Closing by Sponsor:

01:02:48 Rep. Miller

HEARING ON HB 302

Opening Statement by Sponsor:

01:05:28 Rep. Janna Taylor (R), HD 11, opened the hearing on HB 302, Require driver's license test in English only.

EXHIBIT(his54a03)

Proponents' Testimony:

01:08:43 Paul Nachman
EXHIBIT(his54a04)
01:13:59 Roger Nummerdor
01:15:46 Rep. Steve Lavin, HD 8

Opponents' Testimony:

01:17:46 Sarah Rossi, representing Montana Coalition Against Domestic and Sexual
Violence (MCADSV)
01:20:06 Jamee Greer, representing Montana Human Rights Network (MHRN)
01:23:02 Niki Zupanic, Public Policy Director, American Civil Liberties Union (ACLU)
01:25:59 Deborah Smith, representing herself

Informational Testimony:

01:30:14 Brenda Nordlund, DOJ

Questions from Committee Members and Responses:

01:33:04 Sen. Blewett
01:34:43 Rep. Taylor
01:37:30 Sen. Blewett
01:37:35 Rep. Taylor
01:38:09 Sen. Keane
01:38:50 Brenda Nordlund
01:39:14 Sen. Keane
01:39:18 Brenda Nordlund
01:39:28 Sen. Vuckovich
01:40:16 Brenda Nordlund
01:41:18 Sen. Mowbray
01:41:48 Rep. Taylor
01:42:27 Sen. Caferro
01:42:55 Brenda Nordlund
01:43:43 Sen. Caferro
01:43:54 Brenda Nordlund
01:44:04 Sen. Blewett
01:44:14 Brenda Nordlund
01:44:18 Sen. Blewett
01:44:38 Brenda Nordlund

Closing by Sponsor:

01:44:49 Rep. Taylor

HEARING ON HB 265

Opening Statement by Sponsor:

01:49:31 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 265, Prohibit insurer from disregarding cost item identified by estimating system.

Proponents' Testimony:

01:51:50 Drew Geiger, representing Montana Collision Repair Specialists (MCRS)

01:52:44 Bruce Halcro, Owner, Capitol Collision Center (CCC)

[EXHIBIT\(his54a05\)](#)

[EXHIBIT\(his54a06\)](#)

01:56:32 Olaf Smith

01:58:20 Todd Litton

01:59:17 Donna Gabel

[EXHIBIT\(his54a07\)](#)

02:02:56 Pam Cayer

[EXHIBIT\(his54a08\)](#)

02:06:23 Gene Dziza

[EXHIBIT\(his54a09\)](#)

02:07:14 Jeff Wisher

02:08:20 Paul Flores

[EXHIBIT\(his54a10\)](#)

02:09:18 Mike Mitchell, Owner, Mitchell's Crash Repair

02:09:30 Brad Meuli

02:10:23 Brendan Schaoning

02:10:55 Rep. Max Yates, HD 74

Opponents' Testimony:

02:11:32 Jacqueline Lenmark, representing American Insurance Association (AIA)

02:15:07 Dwight Easton, representing Farmers Insurance Group (FIG)

02:17:06 Greg VanHorssen, representing State Farm Insurance (SFI)

Informational Testimony:

None

Questions from Committee Members and Responses:

02:23:50 Sen. Keane

02:24:29 Drew Geiger, MCRS

02:26:19 Sen. Keane

02:26:43 Drew Geiger

02:27:47 Sen. Blewett

02:28:39 Drew Geiger

02:29:10 Sen. Blewett

02:29:31 Drew Geiger

02:29:40 Bruce Halcro, CCC

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

March 10, 2011

PAGE 8 of 9

02:30:37 Sen. Buttrey
02:31:18 Jacqueline Lenmark, AIA
02:32:59 Sen. Buttrey
02:33:24 Jacqueline Lenmark
02:34:21 Sen. Caferro
02:34:42 Rep. Vance
02:35:11 Bruce Halcro, CCC
02:35:17 Sen. Caferro
02:35:32 Bruce Halcro
02:38:06 Sen. Caferro
02:38:13 Bruce Halcro
02:40:01 Sen. Arthun
02:40:19 Greg VanHorssen, SFI
02:40:52 Sen. Arthun
02:41:46 Sen. Keane
02:42:06 Bruce Halcro
02:42:44 Sen. Keane
02:43:19 Bruce Halcro
02:43:24 Sen. Keane
02:43:45 Rachel Weiss, LSD
02:44:09 Sen. Buttrey
02:44:54 Rep. Vance
02:45:39 Sen. Keane
02:45:53 Rep. Vance

Closing by Sponsor:

02:46:12 Rep. Vance

ADJOURNMENT

Adjournment:
02:47:56

Kirk Lundby, Secretary

kl

Additional Documents:

EXHIBIT([his54aad.pdf](#))